

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON AGRICULTURE**

**Call to Order:** By **CHAIRMAN JOE BARNETT**, on March 23, 1999 at 3:00 P.M., in Room 437 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Joe Barnett, Chairman (R)  
Rep. John L. Holden, Vice Chairman (R)  
Rep. Ralph Lenhart, Vice Chairman (D)  
Rep. Darrel Adams (R)  
Rep. Paul Clark (D)  
Rep. Kathleen Galvin-Halcro (D)  
Rep. Mary Anne Guggenheim (D)  
Rep. Donald L. Hedges (R)  
Rep. Verdell Jackson (R)  
Rep. Rick Jore (R)  
Rep. Sam Rose (R)  
Rep. Frank Smith (D)  
Rep. Bob Story (R)  
Rep. Bill Thomas (R)  
Rep. Cliff Trexler (R)

**Members Excused:** Rep. Rick Dale (R)  
Rep. Bill Eggers (D)  
Rep. Monica Lindeen (D)  
Rep. Gay Ann Masolo (R)  
Rep. Brennan Ryan (D)

**Members Absent:** None.

**Staff Present:** Joyce Bankhead, Committee Secretary  
Todd Everts, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SJR 11 Posted 3/16/99  
Executive Action: SB 178, HB 643, SB 183,  
SB 384, SJR 11, SB 401.

HEARING ON SJR 11

Opening Statement by Sponsor:

Senator Greg Jergeson, SD 46.

*{Tape : 1; Side : A; Approx. Time Counter : 0 - 6.3}*

Proponents' Testimony:

Betty Waddell, MT Assoc. of Churches **EXHIBIT**(agh65a01)

*{Tape : 1; Side : A; Approx. Time Counter : 6.3 - 9.2}*

Kelly Flaherty-Settle, Northern Plains Resource Council

**EXHIBIT**(agh65a02)

*{Tape : 1; Side : A; Approx. Time Counter : 9.2 - 13.1}*

Ron DeYong, MT Farm Bureau

*{Tape : 1; Side : A; Approx. Time Counter : 13.1 - 22.6}*

Candace Payne, WIFE

*{Tape : 1; Side : A; Approx. Time Counter : 22.6 - 23.7}*

Ralph Peck, Director Dept. of Ag

*{Tape : 1; Side : A; Approx. Time Counter : 23.7 - 24.3}*

Steve Bullock, Dept. of Justice **EXHIBIT**(agh65a03)

*{Tape : 1; Side : A; Approx. Time Counter : 24.3 - 27.5}*

Arla Jean Murray, MT Cattlewomen and MT Stockgrowers

*{Tape : 1; Side : A; Approx. Time Counter : 27.5 - 28.3}*

Opponents' Testimony:

NONE

*{Tape : 1; Side : A; Approx. Time Counter : 28.3 - 28.7}*

Questions from Committee Members and Responses:

Rep. Jore to Jergenson

*{Tape : 1; Side : A; Approx. Time Counter : 28.7 - 30.6}*

*{Tape : 1; Side : B; Approx. Time Counter : 0 - 0.4}*

Rep. Jore to DeYong

*{Tape : 1; Side : B; Approx. Time Counter : 0.4 - 11}*

Rep. Holden to Peck

*{Tape : 1; Side : B; Approx. Time Counter : 11 - 14.1}*

**Closing by the Sponsor:**

Senator Jergenson closed the Hearing on SJR 11.

***{Tape : 1; Side : B; Approx. Time Counter : 14.1 - 17}***

**EXECUTIVE ACTION ON SJR 11**

**Motion:** REP. ROSE moved that SJR 11 BE CONCURRED IN.

**Discussion:** Rep. Jore and Adams.

***{Tape : 1; Side : B; Approx. Time Counter : 17 - 19.5}***

**Vote:** Motion carried 19-1 with Jore voting no.

***{Tape : 1; Side : B; Approx. Time Counter : 19.5 - 20.7}***

**EXECUTIVE ACTION ON SB 384**

**Motion/Vote:** REP. LINDEEN moved that SB 384 BE CONCURRED IN.

Motion carried 17-3 with Adams, Jore, and Story voting no.

***{Tape : 1; Side : B; Approx. Time Counter : 20.7 - 23.3}***

**EXECUTIVE ACTION ON SB 178**

**Motion:** REP. LINDEEN moved that SB 178 BE CONCURRED IN.

**Motion:** REP. HOLDEN moved that SB 178 BE AMENDED.

**Discussion:** Rep. Clark. Galvin-Halcro asked to have amendments segregated.

**Vote:** Motion carried 20-0 on #1 on amendment.

***{Tape : 1; Side : B; Approx. Time Counter : 23.3 - 26.9}***

**Substitute Motion:** REP. CLARK made a substitute motion SB 178.

**Discussion:** Rep. Clark, Trexler, Story, Hedges, Todd Everts with information, Jackson, Thomas, Smith, Lindeen and Clark. Motions have been withdrawn because some questions need clarification. Amendment has been added to bill. Will take executive action later today or on Thursday.

***{Tape : 1; Side : B; Approx. Time Counter : 26.9 - 30.7}***

***{Tape : 2; Side : A; Approx. Time Counter : 0 - 3.1}***

**EXECUTIVE ACTION ON SB 401**

**Motion:** REP. ROSE moved that SB 401 BE CONCURRED IN.

**Motion:** REP. ROSE moved that SB 401 BE AMENDED.

**Discussion:** Rep. Rose explained the amendments.

**EXHIBIT**(agh65a04) Reps. Jore, Hedges, Lindeen, Story, Rose, Jackson, Barnett, Guggenheim, Adams, Trexler, and Clark.

**Vote:** Motion failed 8-12 with Guggenheim, Hedges, Mascolo, Rose, Smith, Story, Thomas, Barnett voting aye.

***{Tape : 2; Side : A; Approx. Time Counter : 3.1 - 25.7}***

Todd Everts explains the Ric Holden amendment of termination date. Discussion Reps. Jore, and Rose.

**Motion:** REP. HEDGES moved that SB 401 BE AMENDED.

**Discussion:** **EXHIBIT**(agh65a05) Reps. Rose, and Jore. Bob Stephens, without objection, explained the need for termination date. Reps. Smith, and Hedges.

**Vote:** Motion failed 0-20.

***{Tape : 2; Side : A; Approx. Time Counter : 25.7 - 29.9}***

**Discussion on unamended bill:**

Reps. Clark, Guggenheim, Holden, Jore, and Jackson.

**Vote:** Motion carried 16-4 with Eggers, Galvin-Halcro, Guggenheim, and Smith voting no.

***{Tape : 2; Side : A; Approx. Time Counter : 29.9 - 30.7}***

***{Tape : 2; Side : B; Approx. Time Counter : 0 - 4.3}***

**EXECUTIVE ACTION ON SB 183**

**Motion:** REP. GALVIN-HALCRO moved that SB 183 BE CONCURRED IN.

**Discussion:**

Todd Everts explained the amendments. **EXHIBIT**(agh65a06)

**Motion/Vote:** REP. GALVIN-HALCRO moved that SB 183 BE AMENDED.

Motion carried 20-0.

***{Tape : 2; Side : B; Approx. Time Counter : 4.3 - 6.1}***

**Motion/Vote:** REP. GALVIN-HALCRO moved that SB 183 BE CONCURRED IN AS AMENDED. Motion carried 17-3 with Adams, Jore, and Trexler voting no.

*{Tape : 2; Side : B; Approx. Time Counter : 6.1 - 7.4}*

**EXECUTIVE ACTION ON SB 178**

Reopened Executive Action

**Discussion:**

Reps. Clark and Adams.

**Vote on amendment #2:** EXHIBIT (agh65a07)

**Motion/Vote:** REP. HOLDEN moved that SB 178 BE AMENDED. Motion failed 0-20.

*{Tape : 2; Side : B; Approx. Time Counter : 7.4 - 12.1}*

**Substitute Motion:** REP. JACKSON made a substitute motion SB 178. Fine be \$500 instead of 1,000.

**Discussion:**

Reps. Smith and Galvin-Halcro.

**Vote:** Motion failed 5-15 with Adams, Hedges, Jackson, Jore, Trexler voting aye.

*{Tape : 2; Side : B; Approx. Time Counter : 12.1 - 15.5}*

**Vote:** Motion failed 17-3 with Adams, Jore and Trexler voting aye, on SB 178 with one amendment.

*{Tape : 2; Side : B; Approx. Time Counter : 15.5 - 16.2}*

**EXECUTIVE ACTION ON HB 643**

**Motion:** REP. GALVIN-HALCRO moved that HB 643 DO PASS.

**Discussion:**

Rep. Clark to explained amendments but instead would like to hear comments on the bill first. Reps. Galvin-Halcro, Guggenheim, Clark, Adams, Jackson, Trexler, Holden, Adams, and Rose. Rep Clark for Rose to withdraw motion to table so he could make his amendments. Rose declined.

**Motion/Vote:** REP. ROSE moved that HB 643 BE TABLED. Motion carried 14-6 with Clark, Eggers, Galvin-Halcro, Guggenheim, Lindeen, Lenhart voting no.

***{Tape : 2; Side : B; Approx. Time Counter : 16.2 - 18.7}***

Rep. Guggenheim and Holden made comment. Chairman Barnett explained Clark and discussion of amendment. Committee dinner with Senate and Candace Payne discuss the date.

***{Tape : 2; Side : B; Approx. Time Counter : 18.7 - 22.8}***

**ADJOURNMENT**

Adjournment: 5:21 P.M.

---

REP. JOE BARNETT, Chairman

---

JOYCE BANKHEAD, Secretary

JB/JB

**EXHIBIT** (agh65aad)